

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

MICHAEL J. BOST, et al.,

Plaintiffs,

v.

THE ILLINOIS STATE BOARD OF
ELECTIONS, et al.,

Defendants.

Civil Action No. 1:22-cv-02754

Judge John F. Kness

PLAINTIFFS' MOTION FOR PARTIAL SUMMARY JUDGMENT

Plaintiffs Michael J. Bost, Laura Pollastrini, and Susan Sweeney ("Plaintiffs"), through counsel, and pursuant to Federal Rules of Civil Procedure 56, hereby move for Partial Summary Judgement on Counts I and II with respect to the November 8, 2022, congressional elections by declaring that 10 ILCS 5/19-8(c) violates federal law. Plaintiffs seek a declaratory judgment that Illinois' Receipt Deadline violates 2 U.S.C. § 7 and Plaintiffs' First and Fourteenth Amendment rights and an order from the Court scheduling remedial proceedings as appropriate.

In support of this Motion, Plaintiffs contemporaneously file their Statement of Material Facts pursuant to Local Rule 56.1, which attached to it is the following:

1. Exhibit 1 - Declaration by Attorney T. Russell Nobile, July 15, 2022;
2. Exhibit 2 – Press Release from Defendant State Board, November 2, 2020;
3. Exhibit 3 – Press Release from Defendant State Board, December 4, 2020;
4. Exhibit 4 – Declaration by Plaintiff Congressman Michael J. Bost, July 15, 2022;
5. Exhibit 5 – Declaration by Plaintiff Laura Pollastrini, July 15, 2022; and
6. Exhibit 6 – Declaration by Plaintiff Susan Sweeny, July 15, 2022.

WHEREFORE, Plaintiffs respectfully request that the Court grant their Motion for Partial Summary Judgment and order appropriate remedial proceedings.

July 15, 2022

s/ Russ Nobile

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* *Application for admission pro hac vice
forthcoming*